

PTO/SB/21 (07-06)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

10/574,243

Filing Date

March 29, 2006

First Named Inventor

Tetsuya Tamura et al.

Art Unit

Unassigned

Examiner Name

Unassigned

Attorney Docket Number

075834.00568

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☒Reply to Missing Parts/
Incomplete Application☒Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a
Provisional Application☒Power of Attorney, Revocation
Change of Correspondence Address☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐

Landscape Table on CD

☐

After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify
below):Postcard, Power of Attorney, Response to
Notice to File Missing Requirements under 35
U.S.C. 371, Copy of Notification, check in the
amount of \$130.00**Remarks**The Commissioner is hereby authorized to charge Deposit Account No. 50-3891 in the amount
of \$130.00 or any amount necessary for this reply or to credit any overpayment to same**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Rockey, Depke, Lyons & Kitzinger, LLC

Signature

Printed name

Robert J. Depke

Date

11/14/05

Reg. No.

37,607

CERTIFICATE OF TRANSMISSION/MAILINGI hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with
sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on
the date shown below:

Signature

Typed or printed name

Robert J. Depke

Date

11/14/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAIL STOP PCT
IN THE UNITED STATES ELECTED OFFICE
OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNDER THE PATENT COOPERATION TREATY

**RESPONSE TO MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

APPLICATION No.: 10/574,243
APPLICANT(S): Tetsuya Tamura et al.
ATTORNEY DOCKET NO.: 075834.00568
INTERNATIONAL APPLICATION NO.: PCT/JP04/014806
INTERNATIONAL FILING DATE: September 30, 2004
INVENTION: **RECORDING AND REPRODUCING APPARATUS
AND RECORDING METHOD**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed October 10, 2006, Applicant submits an executed Declaration and Power of Attorney as required in the Notice, along with a check in the amount of \$130.00, for payment of the surcharge for providing the declaration later than the statutory 30 months from the priority date. A copy of the notice is submitted herewith.

12/07/2006 LLANDGRA 00000040 10574243

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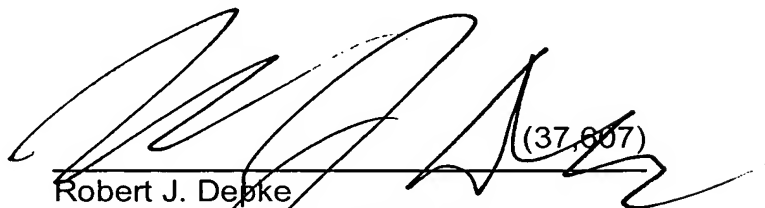
130.00 0P

Appl. No. 10/574,243
Reply to 35 U.S.C. 371 Formalities
Atty Docket No. 075834.00568

In addition, the Commissioner is hereby authorized to charge any fees due or credit any overpayment to Deposit Account No. 50-3891.

Date: 11/14/06

Respectfully submitted,

A large, stylized handwritten signature in black ink, likely belonging to Robert J. Depke, is written over a horizontal line. To the right of the signature, the number (37,807) is handwritten in parentheses.

Robert J. Depke
ROCKEY, DEPKE, LYONS &
KITZINGER LLC
233 S. Wacker Drive, Suite 5450
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Tel: (312) 277-2006
Attorney for Applicants



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,243	Tetsuya Tamura	07583400568

INTERNATIONAL APPLICATION NO.

PCT/JP04/14806

I.A. FILING DATE	PRIORITY DATE
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09/30/2004

10/02/2003

33448

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CHICAGO, IL 60606-6306

CONFIRMATION NO. 5906

371 FORMALITIES LETTER



OC000000020745967

Date Mailed: 10/10/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/29/2006
- English Translation of the IA filed on 03/29/2006
- Copy of the International Search Report filed on 03/29/2006
- Copy of Article 19 Amendments filed on 03/29/2006
- English Translation of Article 19 Amendments filed on 03/29/2006
- Preliminary Amendments filed on 03/29/2006
- Information Disclosure Statements filed on 03/29/2006
- Oath or Declaration filed on 03/29/2006
- Request for Immediate Examination filed on 03/29/2006
- U.S. Basic National Fees filed on 03/29/2006
- Priority Documents filed on 03/29/2006
- Specification filed on 03/29/2006
- Claims filed on 03/29/2006
- Abstracts filed on 03/29/2006
- Drawings filed on 03/29/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/574,243	PCT/JP04/14806	07583400568